

FIRST REGULAR SESSION

HOUSE BILL NO. 257

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE EVANS.

0910H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 304.050 and 304.076, RSMo, and to enact in lieu thereof two new sections relating to Head Start school buses.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 304.050 and 304.076, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 304.050 and 304.076, to read as follows:

304.050. 1. The driver of a vehicle upon a highway upon meeting or overtaking from either direction any school bus **or any Head Start bus certified under section 307.375** which has stopped on the highway for the purpose of receiving or discharging any school children and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching such school bus **or Head Start bus** and shall not proceed until such school bus **or Head Start bus** resumes motion, or until signaled by its driver to proceed.

2. Every bus used for the transportation of school children shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than eight inches in height. Each bus shall have lettered on the rear in plain and distinct type the following: "State Law: Stop while bus is loading and unloading". Each school bus subject to the provisions of sections 304.050 to 304.070 shall be equipped with a mechanical and electrical signaling device approved by the state board of education, which will display a signal plainly visible from the front and rear and indicating intention to stop.

3. Every school bus operated to transport students in the public school system which has a gross vehicle weight rating of more than ten thousand pounds, which has the engine mounted entirely in front of the windshield and the entrance door behind the front wheels, and which is used for the transportation of school children shall be equipped no later than August 1, 1998,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 with a crossing control arm. The crossing control arm, when activated, shall extend a minimum
19 of five feet six inches from the face of the front bumper. The crossing control arm shall be
20 attached on the right side of the front bumper and shall be activated by the same controls which
21 activate the mechanical and electrical signaling devices described in subsection 2 of this section.
22 This subsection may be cited as "Jessica's Law" in commemoration of Jessica Leicht and all
23 other Missouri schoolchildren who have been injured or killed during the operation of a school
24 bus.

25 4. Except as otherwise provided in this section, the driver of a school bus in the process
26 of loading or unloading students upon a street or highway shall activate the mechanical and
27 electrical signaling devices, in the manner prescribed by the state board of education, to
28 communicate to drivers of other vehicles that students are loading or unloading. A public school
29 district shall have the authority pursuant to this section to adopt a policy which provides that the
30 driver of a school bus in the process of loading or unloading students upon a divided highway
31 of four or more lanes may pull off of the main roadway and load or unload students without
32 activating the mechanical and electrical signaling devices in a manner which gives the signal for
33 other drivers to stop and may use the amber signaling devices to alert motorists that the school
34 bus is slowing to a stop; provided that the passengers are not required to cross any traffic lanes
35 and also provided that the emergency flashing signal lights are activated in a manner which
36 indicates that drivers should proceed with caution, and in such case, the driver of a vehicle may
37 proceed past the school bus with due caution. No driver of a school bus shall take on or
38 discharge passengers at any location upon a highway consisting of four or more lanes of traffic,
39 whether or not divided by a median or barrier, in such manner as to require the passengers to
40 cross more than two lanes of traffic; nor shall any passengers be taken on or discharged while
41 the vehicle is upon the road or highway proper unless the vehicle so stopped is plainly visible
42 for at least five hundred feet in each direction to drivers of other vehicles in the case of a
43 highway with no shoulder and a speed limit greater than sixty miles per hour and at least three
44 hundred feet in each direction to drivers of other vehicles upon other highways, and on all
45 highways, only for such time as is actually necessary to take on and discharge passengers.

46 5. The driver of a vehicle upon a highway with separate roadways need not stop upon
47 meeting or overtaking a school bus which is on a different roadway, or which is proceeding in
48 the opposite direction on a highway containing four or more lanes of traffic, or which is stopped
49 in a loading zone constituting a part of, or adjacent to, a limited or controlled access highway at
50 a point where pedestrians are not permitted to cross the roadway.

51 6. The driver of any school bus driving upon the highways of this state after loading or
52 unloading school children, shall remain stopped if the bus is followed by three or more vehicles,

53 until such vehicles have been permitted to pass the school bus, if the conditions prevailing make
54 it safe to do so.

55 7. If any vehicle is witnessed by a peace officer or the driver of a school bus to have
56 violated the provisions of this section and the identity of the operator is not otherwise apparent,
57 it shall be a rebuttable presumption that the person in whose name such vehicle is registered
58 committed the violation. In the event that charges are filed against multiple owners of a motor
59 vehicle, only one of the owners may be convicted and court costs may be assessed against only
60 one of the owners. If the vehicle which is involved in the violation is registered in the name of
61 a rental or leasing company and the vehicle is rented or leased to another person at the time of
62 the violation, the rental or leasing company may rebut the presumption by providing the peace
63 officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time
64 of the violation. No prosecuting authority may bring any legal proceedings against a rental or
65 leasing company under this section unless prior written notice of the violation has been given to
66 that rental or leasing company by registered mail at the address appearing on the registration and
67 the rental or leasing company has failed to provide the rental or lease agreement copy within
68 fifteen days of receipt of such notice.

69 8. Notwithstanding the provisions in section 301.130, every school bus shall be required
70 to have two license plates.

 304.076. **1.** Notwithstanding anything in subsection 1 of section 304.075 to the contrary,
2 effective August 28, 1996, any new bus to be used to transport children to or from a federal Head
3 Start program shall bear signs indicating that it is a Head Start school bus. Any bus that was
4 used to transport children to or from a Head Start program prior to August 28, 1996, that
5 continues to transport children to or from a Head Start program after such date may bear signs
6 indicating that it is a Head Start school bus.

7 **2. The provisions of subsection 1 of section 304.050 shall apply to any Head Start**
8 **school bus certified as required under section 307.375.**

✓