

HCS HB 2742 -- THE OFFENSE OF FAILING TO STOP FOR A SCHOOL BUS

SPONSOR: Jones (12)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Transportation by a vote of 12 to 0 with 1 member voting present. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 2742.

Currently, a person is guilty of a class A misdemeanor if they pass a stopped school bus in the process of loading or unloading students; the person is guilty of a class E felony if the offense results in the injury of any child; and a class D felony if the offense results in the death of any child. The court can order the suspension of a person's license for 90 days after a first offense and 120 days after a second or subsequent offense. These suspensions are in addition to other suspensions for other violations of law.

This bill adds fines for each offense and changes the provisions regarding suspended licenses as follow:

(1) For a first offense, a person is subject to a fine of at least \$500, but no more than \$1,000, and the court can suspend their license at its discretion;

(2) For a second offense within five years, a person is subject to a fine of at least \$1,000, but no more than \$2,000, and their license will be suspended for 90 days; and

(3) For a third or subsequent offense within five years, a person is subject to a fine of at least \$1,500, but no more than \$3,000, and their license will be suspended for 180 days.

No court can suspend any portion of these fines, and no offense can be disposed of through the State fine collection center or payment of a fine without an appearance in open court. The defendant must appear in court in person or by attorney for deposition.

Each instance of failing to stop for a school bus that is loading or unloading students will also result in five points being assessed to the driver's license.

The bill authorizes school districts to install and operate school bus safety cameras with the approval of the school district's board of directors. Any image or video recorded by the camera that is not used to enforce violations for passing a stopped school bus must be permanently deleted no later than 180 days after the date of capture.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that drivers are passing stopped school buses at a growing rate, putting children at risk. There's no minimum mandatory fine, suspensions are discretionary, and there are no points on the driver's license. This bill establishes mandatory minimum penalties and strengthens penalties. Protecting children at the bus stop should be a priority. We've had close calls in the past year, putting children at risk, and drivers would be willing to go to court to enforce this statute. Distracted driving is a major cause of these violations, and Missouri is in the bottom 7 states for penalties related to stop arm violations.

Testifying in person for the bill were Representative Jones; Arnie Dienoff; Missouri Council of School Administrators; Missouri Association of Prosecuting Attorneys; and James W (Jt) Thomas, Platte County R3 School District.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.