

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

SPONSOR: Jones (12)

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 not 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 not 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 5 points being assessed to the driver's license.

The bill authorizes school districts to install and operate automated school bus safety cameras with the approval of the school district's board of directors. Any automated school bus safety cameras will only function while a school bus arm is fully extended and warning lights are activated for the purpose of loading or unloading students. Recorded material will be used only to provide evidence to law enforcement of vehicles passing a school bus improperly, and will not be used for any other

purpose, including civil or criminal investigations. Camera footage unrelated to this purpose will not be retained by the school district for any purpose.